

# United States Senate

WASHINGTON, DC 20510

November 5th, 2007

Stephen Johnson  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, NW, Room 3426  
Washington, DC

Dear Administrator Johnson,

We are writing to request that you expeditiously approve the petition for the Northeast Regional Mercury Total Maximum Daily Load (TMDL).

The Northeast states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York have drastically reduced mercury pollution in recent years. For example, between 1998 and 2002 state initiatives to reduce mercury pollution from municipal waste combustors and medical waste incinerators prevented 8,000 pounds of mercury pollution. Indeed, nearly all in-region sources of mercury have been eliminated in the Northeast. While our States' efforts are laudable and have produced tangible results, our federal standards have been virtually stagnant and maintained the status quo. Mercury is atmospherically deposited and it is becoming increasingly evident that for our states to comply with Section 303(d) of the Clean Water Act strong federal action that encompasses all of the States is essential.

The National Academy of Sciences has confirmed scientific research demonstrating that maternal consumption of unsafe levels of mercury in fish can cause serious neurodevelopment harm resulting in children that suffer from learning disabilities, poor motor function, mental retardation, seizure disorders and cerebral palsy. This clearly impacts the health of our region, as well our economic wellbeing. Currently, six of the seven Northeast states have statewide freshwater fish consumption advisories directly as a result of mercury pollution. Currently 10,000 bodies of water as well as 46,000 miles of rivers in the Northeast are listed as impaired for fish consumption due to mercury pollution.

On October 24<sup>th</sup>, the Northeast States submitted the Northeast Regional TMDL, which states, "The Northeast region's ability to achieve the calculated TMDL allocations is dependent on the adoption and effective implementation of national and international programs to achieve necessary reductions in mercury emissions." As you know, mercury pollution originates from two major sources: wastewater discharge and atmospheric deposition. The Clean Air Mercury Rule (CAMR) insufficiently reduces emissions through atmospheric deposition and amounts to only 70 percent reduction by 2018. The CAMR will not allow our states to move forward with this TMDL. We therefore urge

you to approve the Northeast Regional Mercury TMDL and again ask you to strongly consider reevaluating the CAMR and promulgate national rules consistent with the region's TMDL.

Thank you for our consideration of our request, and we look forward to hearing your response.

Sincerely,

Olympia Army

Patrick Leahy

Judd Gregg

John E. Sununu

Ben Sanders

Susan Collins

Jon Lieber

Jack Reed

Shirley

Chris Drab

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